IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.4092 OF 1998

Pesticides & Bewers Limited Plaintiffs

versus

M/s.Encyme Pharmaceuticals and
Industrial Chemicals Ltd. Defendants

Shivanand Nandedkar i/by M.Janardhan for plaintiffs.

None for defendants.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 30th June 2005

PC :

1. Heard learned advocate for plaintiff. What is being requested in this Notice of Motion is that despite issuance of writ of summons way back in 1999 defendant has failed to file written statement. Learned advocate, therefore, requests that the matter be placed for ex-parte hearing. None present despite name of the advocate of the defendant appearing on board. In the light of the fact that no written statement is filed even after the motion is taken out, interest of justice would be served if Notice of Motion is

made absolute in terms of prayer clause (a). No order as to costs. Liberty to apply for placing the matter on board of appropriate Court as an undefended suit.

(S.C.DHARMADHIKARI, J.)